

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DERIEL HERNANDEZ,
Plaintiff

v.

MARK KIAK,⁸ ET AL.,
Defendants

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CIVIL ACTION NO. 3:14-CV-2317
(Judge Nealon)

ORDER

AND NOW, THIS 30TH DAY OF SEPTEMBER, 2016, in accordance with the

Memorandum issued this same date, **IT IS HEREBY ORDERED THAT:**

1. Defendants motions to dismiss the Plaintiff's Amended Complaint (Docs. 56, 57) are **GRANTED**.
2. The Clerk of Court is directed to **CLOSE** this case.
3. Any appeal taken from this order will be deemed frivolous, without probable cause, and not taken in good faith. See 28 U.S.C. §1915(a)(3).

/s/ William J. Nealon
United States District Judge

⁸ "Defendant Mark Kijek was incorrectly spelled as 'Kiak' in Plaintiff's Complaint." (Doc. 27, p. 1 n.1). By separate Order, dated September 30, 2015, the Court directed the Clerk of Court to amend the docket sheet to accurately reflect the correct spelling of this party's name. (See Doc. 50).